

**SUPPLEMENTAL
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 17 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 17 2003 under 69861

The applicant **The Donovan Family Trust**, dated August 8, 1996, hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use** of water heretofore appropriated under a portion of Permit No. 30153, Certificate No. 9225

1. The source of water is **underground**
2. The amount of water to be changed **120.48 acre feet annually, and a pro-rata share of the diversion rate**
3. The water to be used for **Commercial and domestic**
4. The water heretofore permitted for **Irrigation and domestic**
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, T.21N., R.20E., M.D.M., or at a point from which the north $\frac{1}{4}$ corner of said Section 24 bears North 88°18'35" West a distance of 1349.77 feet.**
6. The existing permitted point of diversion is located within the **SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, T.21N., R.20E., M.D.M., or at a point from which the north $\frac{1}{4}$ corner of Section 24, T.21N., R.20E., M.D.M. bears North 60°21'23" East a distance of 3318.28 feet. See map supporting Application No. 30153.**
7. Proposed place of use **Portions of Sections 23 and 24, T.21N., R.20E., M.D.M., within Parcels 6A, 7A and 8A as shown on supporting map.**
8. Existing place of use **30.12 acres in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24, T.21N., R.20E., M.D.M. See map supporting Application No. 30153.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled well, pump and pipeline system.**
12. Estimated cost of works **\$150,000.00**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Water will be used for dust control, reclamation of mined areas and pit operations. This application is intended to be supplemental, and would allow the use of an alternate point of diversion in the event that the primary proposed point of diversion is**

69866

incapable of producing the entire permitted duty. Primary point of diversion is located within the NE¼ of the NE¼ of Section 24, T.21N., R.20E., M.D.M. at a point from which the north ¼ corner of said Section 24 bears N 82°09'13" W, 2170.19'.

By s/George G. Lindesmith
George G. Lindesmith
Tri State Surveying 1925 E. Prater Way
Sparks, Nevada 89434

Compared cmf/cac 1t/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 30153, Certificate 9225 is issued subject to the terms and conditions imposed in said Permit 30153, Certificate 9225 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 69861, 69862, 69863, 69864, 69865, 69866 and 69867 shall not exceed 173.76 acre-feet annually.

The total combined duty of water under Permits 69862 and 69866 shall not exceed 120.48 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3426 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 19, 2008

Proof of completion of work shall be filed on or before:

June 19, 2008

Water must be placed to beneficial use on or before:

May 19, 2010

Proof of the application of water to beneficial use shall be filed on or before:

June 19, 2010

Map in support of proof of beneficial use shall be filed on or before:

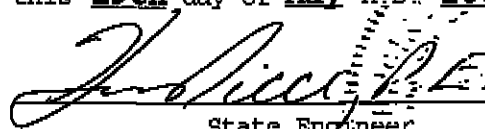
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 19th day of May A.D. 2005.


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

